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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,917	04/21/2004	Kuo Chuan Wu	BA-22882	5641
7590	07/15/2010		EXAMINER	
BUCKNAM AND ARCHER 1077 Northern Boulevard Roslyn, NY 11576-1696			UNELUS, ERNEST	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/828,917	<b>Applicant(s)</b> WU ET AL.
	<b>Examiner</b> ERNEST UNELUS	<b>Art Unit</b> 2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 May 2010.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 3,4,6-10,12 and 14-16 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 3,4,6-10,12 and 14-16 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 21 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date: \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

**RESPONSE TO AMENDMENT**

**Claim rejections based on prior art**

The amendment filed 05/03/2010 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: “**a detector used to detect a computer host reset signal on the standard interface between said personal computer and the optical data storage device, signal said microprocessor to control said bus switch to release the standard interface when the computer host reset signal is not detected** and signal said microprocessor to control said bus switch **to resume said standard interface when the computer host reset signal is detected whether the personal computer is power-on or power-off**”.

**Applicant is required to cancel the new matter in the reply to this Office Action.**

**This new matter will not be considered.**

Applicant’s arguments filed 05/03/2010 with respect to the rejection(s) of claim(s) 3, 4, 6-10, 12, 14-16 have been fully considered and are not persuasive.

With respect to video and audio selector and encoder/decoder, see paragraph 0019 of Jae-Sung, which discloses a CD-ROM or DVD player. With respect to other arguments of the applicant, please, see ‘objection to the claims’ below and the rest of the office action.

### **INFORMATION CONCERNING OATH/DECLARATION**

#### ***Oath/Declaration***

The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

### **INFORMATION CONCERNING DRAWINGS**

#### ***Drawings***

The applicant's drawings submitted are acceptable for examination purposes.

### **OBJECTIONS TO THE CLAIMS**

**Claim 16** is objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claim 16**, which respect to the limitation “the read/write of the BIOS data”, there is insufficient antecedent basis for this limitation in the claim. “A read/write of the BIOS data” was not previously mention. Correction is needed.

the limitation “a microprocessor pre-stored instruction and the read/write of the BIOS data of the personal computer; and controlled the release/resume operation of the bus switch” is confusing. It seems like the applicant is claiming, first, a pre-stored instruction, second, a read/write of the BIOS data of the personal computer, and lastly, controlling the release/resume

Art Unit: 2181

operation of the bus switch. It's not clear of what the applicant is trying to get across. **The applicant is advised to contact the examiner for help on how to clarify the claim language to help expedite the prosecution on this application.**

the limitation "a video and audio input/output selector inputted/outputted video and audio signals to the built-in/external optical data storage drive device" can be confusing. This limitation can be read as a selector to 'outputted' video and audio signals to the..., which is confusing because the selector is part of the storage drive device.

lastly, the limitation, "a speaker connected to said power amplifier for outputting said amplified video and audio signal" can be confusing. This limitation is disclosing a speaker to output a video signal, which is confusing. **Again, the applicant is advised to contact the examiner for help on how to clarify the claim language to help expedite the prosecution on this application. The examiner left a voice mail for the applicant on July 08, 2010 to discuss the issues above to help expedite the applicant.**

## **REJECTIONS BASED ON PRIOR ART**

### **Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 3, 4, 6-10, 12, 15, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) in view of Beckert et al. (US pat. 5,794,164).

3. As per **claim 16**, Jac-Sung discloses “An optical storage drive device (**the multimedia device 40**, as discloses in fig. 4a and paragraph 0040, which further discloses the combination of the disc player 2 and the audio signal amplification circuitry 8 as the **multimedia device 40**) which is used as a built-in or external device to a personal computer utilizing a bus switch (**control circuit 38**, as discloses in paragraph 0045) to release/resume a standard interface between the personal computer and optical data storage device, said optical data storage drive device comprising:

a video and audio input/output selector (CD-ROM interface, as discloses in paragraph 0025. see also paragraph 0019, which disclose the CD player or a DVD player) inputted/outputs video and audio signals to the built-in/external optical data storage device (see paragraph 0025);

a video and audio encoder/decoder, encoded the inputted video and audio signal and decoded stored video and audio signal to output to said built-in/external optical data storage drive device through said video and audio input/output selector (see paragraph 0012 and paragraph 0038, which discloses “As stated previously, the disc player 2 may further include a decoder and encoder for decoding and encoding an MPEG file, respectively. By means of this construction, a real-time input audio signal can be com-pressed and stored in the form of an MPEG file, and MPEG audio data from the CPU can be decoded, amplified and reproduced through the speaker”);

a microprocessor pre-stored instruction (**microcomputer 22** of fig. 2, as disclose in paragraphs 0034 and 0048), and controlling the release/resume operation of the bus switch (**the**

**switch is being equated to the control circuit 38, as discloses in paragraph 0045. The paragraph discloses the detection port 37 to switch between the two power source;**

an optical storage device (a DVD, as discloses in paragraph 0019) stored the encoded video and audio signal and data coming from said microprocessor through said bus switch (see paragraph 0034);

a status display (display 28, as discloses in paragraph 0048) displayed the operation status of said optical data storage device and controlled by a display controller (operational panel 42) connected to said microprocessor (see paragraph 0048);

a power amplifier (power amplifier 18), connected to said video and audio encoder/decoder for amplifying said inputted/outputted video and audio signal (see paragraph 0028);

a speaker (speaker 10) connected to said power amplifier for outputting said amplified video and audio signal (see fig. 2); and

a detector (detection port 37 of fig. 3) used to detect a computer host reset signal (the activation signal, as discloses in paragraph 0045) on the standard interface between said personal computer and the optical data storage device, signal said microprocessor to control said bus switch [See paragraph 0045, which discloses, "A detection port 37 is connected to the multimedia device to check voltage (for example, 0 volt) when the multimedia device is not in operation and make a power control terminal 39 active in accordance with the checked result")].

Jae-Sung fails to specifically disclose a "read/write of the BIOS data of the personal computer", "a memory card reader, for reading/writing the encoded video and audio signal and

data from said microprocessor”, and “a status display displayed the operation status of said memory card reader, and a BIOS of the personal computer”);

Beckert discloses “read/write of the BIOS data of the personal computer” (**see col. 8, line 62 to col. 9, line 8**), “a memory card reader (**smart card reader 42 in fig. 3**), for reading/writing the encoded video and audio signal and data from said microprocessor” (**see fig. 3**), and “a status display displayed the operation status of said memory card reader” (**see col. 9, lines 42-53**)

Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player connected to a central processing unit of the personal computer and adapted to play back compact disc as described by Jae-Sung and a vehicle computer system has a housing sized to be mounted in a vehicle dashboard or other appropriate location as taught by Beckert.

The motivation for doing so would have been because Beckert teaches a multimedia device with a card reader that permits someone to store data.

Therefore, it would have been obvious to combine Beckert et al. (US pat. 5,794,164) and Jae-Sung (EP 1117030) for the benefit of creating the optical storage drive device to obtain the invention as specified in claim 16.

4. As per **claim 3**, the combination of Jae-Sung and Beckert disclose “Wherin said optical storage driving device is of stand-alone type [**with respect to this limitation, see Jae-Sung, paragraph 0016**].

5. As per claim 4, the combination of Jae-Sung and Beckert disclose "wherein said optical storage driving device is of portable type" [with respect to this limitation, see Jae-Sung, paragraph 0010].

6. As per claim 6, the combination of Jae-Sung and Beckert disclose "wherein said built-in/external device can be a video/audio signal providing device and a video/audio signal player including television, projector, plasma display panel, liquid crystal display and monitor of a personal computer" [with respect to this limitation, see Jae-Sung, paragraph 0010].

7. As per claim 7, the combination of Jae-Sung and Beckert disclose "wherein said optical storage device including {one of } CD-ROM, CD-R, CD-RW, DVD-ROM, DVD-R, DVD-RW, DVD+R, DVD+RW and DVD-RAM servers" [with respect to this limitation, see Jae-Sung, paragraph 0019].

8. As per claim 8, the combination of Jae-Sung and Beckert disclose "wherein said status display includes one of vacuum fluorescent display (VFD) and liquid crystal display (LCD)" [with respect to this limitation, see Jae-Sung, fig. 2].

9. As per claim 9, the combination of Jae-Sung and Beckert disclose "wherein said display is used to display the mode selection, adjustment controlling, and status indicator of said functions" [with respect to this limitation, see Jae-Sung, paragraph 0048, which discloses

**“The operating panel 42 and display (preferably, VFD) 28 are installed in the front part of the multimedia device, thereby allowing the user to conveniently control the device and view the operating state of the device”].**

10. As per **claim 10**, the combination of Jae-Sung and Beckert disclose “wherein said personal computer includes one of a desktop computer, notebook computer, tablet computer and Macintosh computer” **[with respect to this limitation, see Jae-Sung, fig. 5]**.

11. As per **claim 12**, the combination of Jae-Sung and Beckert disclose “wherein said standard interface can be one of the ATAPI-IDE, the serial ATA or SCSI, the USB 1.1/2.0 built-in or externally connected to a personal computer and a IEEE 1394 standard interface” **[with respect to this limitation, see Jae-Sung, fig. 5]**.

12. As per **claim 15**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device is powered by DC or AC power supply” **[with respect to this limitation, see Jae-Sung, paragraph 0045]**.

13. **Claims 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) as applied to claim 16 above, and further in view of Kovacevic (US 2002/0126703).

14. As per **claim 14**, Jae-Sung and Beckert disclose "The optical storage driving device as set forth in claim 16," [See rejection to claim 1 above], including a connecting device equipped with a power connector, a CD analogue audio output connector (see, **Beckert, fig. 4**), while said connecting device has a dominating bus and an input/output bus so as to increase the expandability of said optical storage driving device (see, **Beckert, fig. 4, which discloses the vehicle battery having 10-16volts compare to the power supply being only12, that's the reason why the vehicle battery bus will dominate over an input/output bus so as to increase the expandability of said optical storage driving device. See col. 6, lines 3-18**), but fail to specifically discloses a Sony-Phillips digital interface (SPDIF) output connector.

Kovacevic discloses a Sony-Phillips digital interface (SPDIF) output connector (see **paragraph 0018**).

Jae-Sung (EP 1117030), Beckert et al. (US pat. 5,794,164), and Kovacevic (US 2002/0126703) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player connected to a central processing unit of the personal computer as described by Jae-Sung and Beckert and a method of synchronizing the output of processed audio data to the output of processed video data as taught by Kovacevic.

The motivation for doing so would have been because Kovacevic teaches a Sony-Phillips digital interface (SPDIF) output connector help with conversion (see **paragraph 0018**)

Therefore, it would have been obvious to combine Kovacevic (US 2002/0126703) and Beckert et al. (US pat. 5,794,164) with Jae-Sung (EP 1117030) for the benefit of creating a multimedia computer device for to obtain the invention as specified in claim 14.

**RELEVANT ART CITED BY THE EXAMINER**

15. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

16. The following reference teaches a multi-functional optical disk driving device.

**U.S. PATENT NUMBER**

US 7,260,318; 2002/0178390; 6,088,809

**VI. CLOSING COMMENTS**

**Conclusion**

**a. STATUS OF CLAIMS IN THE APPLICATION**

17. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

**a(1) CLAIMS REJECTED IN THE APPLICATION**

18. Per the instant office action, claims 3, 4, 6-10, 12, 14-16 have received a final action on the merits.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**b. DIRECTION OF FUTURE CORRESPONDENCES**

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

**IMPORTANT NOTE**

20. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Alford Kindred , can be reached at the following telephone number: Area Code (571) 272-4037.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 2181

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 09, 2009

Ernest Unelus  
Examiner  
Art Unit 2181

/Ernest Unelus/  
Examiner, Art Unit 2181

/Chun-Kuan Lee/  
Primary Examiner, Art Unit 2181